

EXHIBIT “B”

PETER B. CARLISLE 2209
 Prosecuting Attorney
 J. ALBERTO MONTALBANO 7552
 Deputy Prosecuting Attorney
 City and County of Honolulu
 Alii Place
 1060 Richards Street, 10th Floor
 Honolulu, Hawaii 96813
 Ph: 547-7459
 FAX: 527-6546
 Attorneys for State of Hawaii

FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

DEC 16 2005
 at 10 o'clock and 25 min. A
 SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00373-DAE
Plaintiff,)	APPLICATION AND ORDER REGARDING
v.)	TEMPORARY TRANSFER OF CUSTODY TO
LESLIE ANN KAKINAMI,)	THE STATE OF HAWAII REGARDING
Defendant.)	WRIT OF HABEAS CORPUS AD
)	PROSEQUENDUM; EXHIBITS "A AND
)	B"; AND ORDER

APPLICATION AND ORDER
 REGARDING TEMPORARY TRANSFER OF CUSTODY TO THE
STATE OF HAWAII REGARDING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

J. ALBERTO MONTALBANO, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of LESLIE ANN KAKINAMI from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials at any time or times deemed necessary until the conclusion of State of Hawaii v. LESLIE ANN KAKINAMI, Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, 05-1-1736.

Defendant LESLIE ANN KAKINAMI is now detained in the custody of the United States Marshal Service, District of Hawaii, pending jury trial.

Defendant LESLIE ANN KAKINAMI has a change of plea and resentencing before the Honorable Michael A. Town, Judge of the Circuit Court of the First Circuit, State of Hawaii, currently scheduled for January 18, 2006; 8:30 a.m.

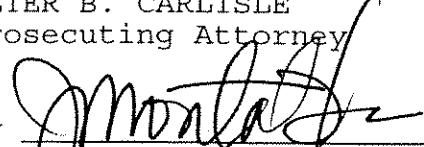
The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter (see, Exhibit "A").

This Application requests that the Court grant a temporary transfer of the physical custody of LESLIE ANN KAKINAMI from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on December 13, 2005, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

Upon conclusion of State of Hawaii v. LESLIE ANN KAKINAMI, Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736, Defendant LESLIE ANN KAKINAMI will be returned to the United States Marshal Service, District of Hawaii.

Dated: December 14, 2005, at Honolulu, Hawaii.

By PETER B. CARLISLE
Prosecuting Attorney

By 
J. ALBERTO MONTALBANO
Deputy Prosecuting Attorney
City and County of Honolulu

DEPARTMENT OF PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE

1060 RICHARDS STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 547-7400 • FAX: (808) 547-7515 • INTERNET: www.co.honolulu.hi.usPETER B. CARLISLE
PROSECUTING ATTORNEYIWALANI D. WHITE
FIRST DEPUTY PROSECUTING ATTORNEY

October 18, 2005

Wes Porter,
 Assistant United States Attorney
 Prince Kuhio Federal Building
 300 Ala Moana Boulevard
 Ewa Wing, 6th Floor
 Honolulu HI 96813

Re: State of Hawaii v. Leslie Ann Kakinami
 Criminal Nos. 02-1-2375, 02-1-0580, 02-1-1438,
 02-1-2376, 03-1-0642, 03-1-0643,
03-1-0644, 05-1-1615, 05-1-1718, and 05-1-1736

Dear Mr. Porter:

I understand the above-named individual is currently in the custody of the federal government. The State of Hawaii has ten (10) cases involving the same individual and would like your approval to take custody of this person for one day on January 18, 2006. The State of Hawaii will later make arrangements with you for the Defendant's future State court appearances.

Please sign below if you agree to this request and FAX a copy of this letter to me, FAX no. 547-7513. Our office will then file a Writ of Habeas Corpus ad Prosequendum and an Order Granting the Temporary Transfer of Custody.

If you have any questions, please call me at 547-7467.
 Thank you for your cooperation in this matter.

Very truly yours,

Darcie C. S. Ho
 Darcie C. S. Ho
 Paralegal

APPROVED:

W.P.
 Wes Porter
 Assistant United States Attorney

OPTIONAL FORM 10 (7-80)

FAX TRANSMITTAL

To		# of pages ►
Darcie Ho		
Dest./Agency	From	Wes Porter
Fax #	Phone #	
Fax #		Fax #

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

EXHIBIT "A"

PETER B. CARLISLE 2209
 Prosecuting Attorney
 J. ALBERTO MONTALBANO 7552
 Deputy Prosecuting Attorney
 City and County of Honolulu
 Alii Place
 1060 Richards Street, 10th Floor
 Honolulu, Hawaii 96813
 Ph: 547-7459
 FAX: 527-6546
 Attorneys for State of Hawaii

FIRST CIRCUIT COURT
 STATE OF HAWAII
 FILED

2005 DEC 13 AM 10:04

H. CHING
 CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER OF THE) S. P. NO. 05-1-0488
 APPLICATION OF THE STATE OF) (Cr. Nos. 02-1-0580, 02-1-1438,
 HAWAII FOR A WRIT OF HABEAS) 02-1-2375, 02-1-2376, 03-1-0642,
 CORPUS AD PROSEQUENDUM RE) 03-1-0643, 03-1-0644, 05-1-1615,
 LESLIE ANN KAKINAMI,) and 05-1-1736)
)
 Defendant.) APPLICATION FOR WRIT OF HABEAS
) CORPUS AD PROSEQUENDUM; ORDER
) DIRECTING ISSUANCE OF WRIT OF
) HABEAS CORPUS AD PROSEQUENDUM;
) WRIT OF HABEAS CORPUS AD
) PROSEQUENDUM

APPLICATION FOR WRIT OF
 HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE MICHAEL A. TOWN, JUDGE OF THE ABOVE ENTITLED COURT:

Comes now the STATE OF HAWAII, by J. ALBERTO MONTALBANO, Deputy Prosecuting Attorney of the City and County of Honolulu, State of Hawaii, and respectfully alleges as follows:

1. That LESLIE ANN KAKINAMI has several cases in the Circuit Court of the First Circuit, Honolulu, Hawaii, Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736;

2. That resentencing in Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, and 03-1-0644 and change

EXHIBIT "B"

of plea in Criminal Nos. 05-1-1615 and 05-1-1736 are scheduled for January 18, 2006, 8:30 a.m., before the Honorable MICHAEL A. TOWN;

3. That said Defendant is now imprisoned as a federal prisoner under the custody of the UNITED STATES MARSHAL, District of Hawaii, and is being detained at the Federal Detention Center, Honolulu, Hawaii; and

4. That in order to procure Defendant's presence in the Circuit Court of the First Circuit, it is necessary that a Writ of Habeas Corpus ad Prosequendum be issued, pursuant to Chapter 660, Hawaii Revised Statutes.

WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Prosequendum commanding the:

UNITED STATES MARSHAL, District of Hawaii, or his deputy, to make available the body of LESLIE ANN KAKINAMI to State of Hawaii Officials on January 18, 2006, and at any time or times deemed necessary until the conclusion of Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736,

STATE OF HAWAII OFFICIALS, upon taking custody of Defendant each time, to:

1. bring the said Defendant before the Honorable MICHAEL A. TOWN, Judge of the Circuit Court of the First Circuit, on January 18, 2006, at 8:30 a.m.;

2. return the said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, that same day;

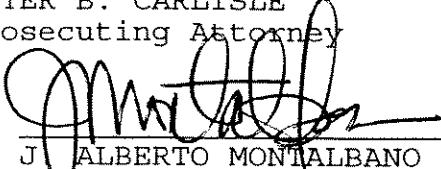
3. bring the said Defendant before the Presiding Judge of the Circuit Court of the First Circuit at any time or times deemed necessary until the conclusion of Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736; and thereafter

4. return the said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, each time.

Dated at Honolulu, Hawaii: December 6, 2005.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

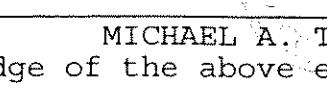
By 
J. ALBERTO MONTALBANO
Deputy Prosecuting Attorney
City and County of Honolulu

ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of this Court be and hereby is instructed to issue the Writ of Habeas Corpus ad Prosequendum prayed for in the foregoing Application.

Dated at Honolulu, Hawaii: DEC 13 2005


MICHAEL A. TOWN


MICHAEL A. TOWN
Judge of the above entitled court

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: UNITED STATES MARSHAL, District of Hawaii, or His Deputy; and
STATE OF HAWAII OFFICIALS

GREETINGS:

We command that you, UNITED STATES MARSHAL, District of Hawaii, or your Deputy, produce the body of LESLIE ANN KAKINAMI, who is being detained as a federal prisoner under your custody, to STATE OF HAWAII OFFICIALS on January 18, 2006, and at any time or times deemed necessary until the conclusion of Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736; and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant to:

1. bring the said Defendant before the Honorable MICHAEL A. TOWN, Judge of the Circuit Court of the First Circuit, on January 18, 2006, at 8:30 a.m.;
2. return the said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, that same day;
3. bring the said Defendant before the Presiding Judge of the Circuit Court of the First Circuit at any time or times deemed necessary until the conclusion of Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736; and thereafter
4. return of said Defendant to the custody of the UNITED STATES MARSHAL, District of Hawaii, each time.

Upon completion of the above and conclusion of Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643,

03-1-0644, 05-1-1615, and 05-1-1736, it shall be deemed sufficient compliance with this writ.

WITNESS the Honorable MICHAEL A. TOWN, Judge of the Circuit Court of the First Circuit at Honolulu, Hawaii, and the seal of said Court this 27th day of DECEMBER, 2005.

151 ALDEN KAU
Clerk, Circuit Court, First Circuit
State of Hawaii

MICHAEL A. TOWN

Judge of the Circuit Court
First Circuit, State of Hawaii

ORDER GRANTING TEMPORARY TRANSFER
OF CUSTODY TO THE STATE OF HAWAII
REGARDING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Upon reading and filing of the foregoing Application for Temporary Custody to the State of Hawaii Regarding Writ of Habeas Corpus ad Prosequendum and good cause appearing therefore,

IT IS HEREBY ORDERED that the United States Marshal Service, District of Hawaii, temporarily transfer the physical custody of Defendant LESLIE ANN KAKINAMI to State of Hawaii Officials at any time or times deemed necessary until the conclusion of State of Hawaii v. LESLIE ANN KAKINAMI, Criminal Nos. 02-1-0580, 02-1-1438, 02-1-2375, 02-1-2376, 03-1-0642, 03-1-0643, 03-1-0644, 05-1-1615, and 05-1-1736. Upon the conclusion of the case, State of Hawaii Officials is to return the said Defendant back to the United States Marshal Service, District of Hawaii.

Dated: _____ at Honolulu, Hawaii.

KEVIN C. CHANG
UNITED STATES MAGISTRATE JUDGE

United States v. Leslie Ann Kakinami
Cr. No. 05-00373-DAE
Application and Order Regarding
Temporary Transfer of Custody
to the State of Hawaii Regarding

Writ of Habeas Corpus ad Prosequendum